

**AMENDMENTS TO THE CLAIMS:**

**Please amend the claims as follows:**

1. (Previously Presented) An anode for a secondary battery comprising:  
an anode active material layer which absorbs and discharge lithium ions;  
wherein said anode active material layer includes:  
a first layer, of which a chief ingredient is carbon, and  
a second layer,  
said second layer includes:  
at least one first element which has a theoretical capacity larger than that of graphite,  
at least one second element which has a theoretical capacity equal to or less than the  
theoretical capacity of graphite, and  
said second element is at least one element selected from a group consisting of C and  
Fe.

2. (Previously Presented) An anode for a secondary battery comprising:  
an anode active material layer which absorbs and discharge lithium ions;  
wherein said anode active material layer includes:  
a first layer, of which a chief ingredient is carbon, and  
a second layer,  
said second layer includes:  
at least one first element which has a theoretical capacity larger than that of graphite,

at least one second element which has a theoretical capacity equal to or less than the theoretical capacity of graphite,

said second layer includes particles, and

said particles have said first element and said second element.

3. (Original) The anode for the secondary battery according to claim 2, wherein surfaces of said particles having said first element are coated with said second element.

4. (Original) The anode for the secondary battery according to claim 2, wherein surfaces of said particles having said second element are coated with said first element.

5. (Original) The anode for the secondary battery according to claim 2, wherein said particles are formed by any of a CVD method, a deposition method, a sputtering method, a mechanical milling method and a mechanical alloy method.

6. (Previously Presented) The anode for the secondary battery according to claim 2, wherein said second element is at least one element selected from a group consisting of C, Fe and Cu.

7. (Previously Presented) The anode for the secondary battery according to claim 2, wherein said first element is at least one element selected from a group consisting of Si, Ge, Sn, Al, Pb, Pd, Ag, In and Cd.

8. (Previously Presented) The anode for the secondary battery according to claim 2, further comprising:

a layer composed of Li or Li compound.

9. (Original) The anode for the secondary battery according to claim 8, wherein said Li compound includes LiF or Li<sub>2</sub>O.

10.-16. (Canceled)

17. (Previously Presented) The anode for the secondary battery according to claim 6, wherein said first element is at least one element selected from a group consisting of Si, Ge, Sn, Al, Pb, Pd, Ag, In and Cd.

18. (Previously Presented) The anode for the secondary battery according to claim 17, further comprising:

a layer composed of Li or Li compound.

19. (Previously Presented) The anode for the secondary battery according to claim 18, wherein said Li compound includes LiF or Li<sub>2</sub>O.

20. (Previously Presented) The anode for the secondary battery according to claim 1, wherein said first element is at least one element selected from a group consisting of Si, Ge, Sn, Al, Pb, Pd, Ag, In and Cd.

21. (Previously Presented) The anode for the secondary battery according to claim 20, further comprising:

a layer composed of Li or Li compound.

22. (Previously Presented) The anode for the secondary battery according to claim 21, wherein said Li compound includes LiF or Li<sub>2</sub>O.

23. (Previously Presented) The anode for the secondary battery according to claim 1, further comprising:

a layer composed of Li or Li compound.

24. (Previously Presented) The anode for the secondary battery according to claim 23, wherein said Li compound includes LiF or Li<sub>2</sub>O.

**Please add the following new claims:**

25. (New) The anode for the secondary battery according to claim 23, further comprising:

a layer which has a lithium ion conductive property.

26. (New) The anode for the secondary battery according to claim 25, wherein said layer having the lithium ion conductive property is formed between said first layer and said layer composed of Li or Li compound.

27. (New) The anode for the secondary battery according to claim 25, wherein said layer having the lithium ion conductive property is composed of materials selected from a group consisting of: Si, Sn, DLC,  $\text{Li}_2\text{O-SiO}_2$  based compound,  $\text{Li}_2\text{O-B}_2\text{O}_3\text{-SiO}_2$  based compound,  $\text{Li}_2\text{O-B}_2\text{O}_3\text{-P}_2\text{O}_5$  based compound,  $\text{Li}_2\text{O-WO}_3$  based compound,  $\text{Li}_2\text{O-P}_2\text{O}_5\text{-SiO}_2$  based compound, and  $\text{Li}_2\text{O-B}_2\text{O}_3$  based compound.

28. (New) The anode for the secondary battery according to claim 1, wherein a volume A of said first element and a volume B of said second element satisfy  $0.001 \leq B/(A+B) \leq 0.5$ .

29. (New) The anode for the secondary battery according to claim 1, further comprising:

a collector,

wherein said collector is placed adjacently to said first layer.

30. (New) The anode for the secondary battery according to claim 1, further comprising:

a collector,

wherein said collector is placed adjacently to said second layer.

31. (New) A secondary battery comprising:

an anode for a secondary battery;

a cathode which absorbs and discharges lithium ions; and

an electrolyte which is placed between said anode for the secondary battery and said

cathode,

wherein said anode for the secondary battery includes:

an anode active material layer which absorbs and discharges lithium ions,

said anode active material layer includes:

a first layer, of which a chief ingredient is carbon, and

a second layer,

said second layer includes:

at least one first element which has a theoretical capacity larger than that of graphite,

at least one second element which has a theoretical capacity equal to or less than the theoretical capacity of graphite, and

said second element is at least one element selected from a group consisting of C and Fe.

32. (New) A secondary battery comprising:

an anode for a secondary battery;

a cathode which absorbs and discharges lithium ions; and

an electrolyte which is placed between said anode for the secondary battery and said

cathode,

wherein said anode for the secondary battery includes:

an anode active material layer which absorbs and discharges lithium ions,

said anode active material layer includes:

a first layer, of which a chief ingredient is carbon, and

a second layer,

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said second layer includes:

at least one first element which has a theoretical capacity larger than that of graphite,

at least one second element which has a theoretical capacity equal to or less than the theoretical capacity of graphite, and

said second layer includes particles, and

said particles include said first element and said second element.